

# SIKKIM



**GOVERNMENT**

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**No. 42**

**GOVERNMENT OF SIKKIM  
DEPARTMENT OF PERSONNEL  
GANGTOK**

**No: 20/GEN/DOP**

**Dated: 06/02/2024**

## **NOTIFICATION**

In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Sikkim, is hereby pleased to make the following rules, namely:-

**Short title and  
Commencement**

1. (1) These rules may be called the Sikkim State Town and Country Planning Service Recruitment Rules, 2024.
- (2) They shall come into force on the date of their publication in the Official Gazette.

**Definition**

2. (1) In these rules, unless the context otherwise requires;-
  - (a) "Appointed day" means the date from which the provisions of these rules come into force;
  - (b) "Commission" means the Sikkim Public Service Commission;
  - (c) "Selection Committee" means the Committee constituted under rule 15;
  - (d) "Cadre Post" means any of the post specified in Schedule I;
  - (e) "Cadre Controlling Authority" means the Government in the Department of Personnel;
  - (f) "Government" means the State Government of Sikkim;
  - (g) "Governor" means the Governor of Sikkim;
  - (h) "Member of service" means the persons appointed under Sikkim State Town and Country Planning Service;
  - (i) "Schedule" means the schedule appended to these rules;

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| <b>Initial<br/>Constitution of<br/>Service</b>             | 3. | <p>(1) There shall be constituted a service to be known as the Sikkim State Town and Country Planning Service.</p> <p>(2) The authorized strength and composition of the service shall be as specified in Schedule I at the initial constitution and shall be as determined by the Government from time to time.</p> <p>(3) The pay level attached to the posts specified in Schedule I shall be such as may be prescribed by the Government from time to time. On the appointed day, the pay level admissible to the members of service shall be as shown in Schedule II.</p>  |
| <b>Members of the<br/>Service</b>                          | 4. | <p>(1) The following persons shall be the member of the service, namely:-</p> <p>(a) Persons appointed under rule 7.</p> <p>(2) A person appointed under clause (a) of sub-rule (1) shall, on such appointment, be deemed to be a member of the Service in the appropriate Grade applicable to him in Schedule II.</p>  |
| <b>Appointment and<br/>posting</b>                         | 5. | <p>(1) All appointment to the cadre posts after the appointed day shall be made by the Government by the methods as specified in rule 7 and 8 and save as provided in sub-rule (2), no cadre post shall be filled otherwise than by a member of the service.</p> <p>(2) Any cadre post may be filled up as a temporary measure by a person from another department of the Government having the requisite qualification and experience, on deputation if the Government is satisfied that there is no suitable member of the service available for filling the post.</p>  |
| <b>Method of<br/>recruitment, age-<br/>limit and other</b> | 6. | <p>The method of recruitment to the said posts age-limit, qualifications and other matters relating thereto shall be as specified in Schedule II.</p>   |
| <b>Recruitment by<br/>Competitive<br/>examination</b>      | 7. | <p>(1) A competitive examination or selection for recruitment to the service shall be held at such intervals as the Government may, from time to time, determine.</p> <p>(2) The examination shall be conducted by the Commission in accordance with such rules and syllabus as the Government may, from time to time, determine.</p> <p>(3) Of the number of vacancies to be filled up on the result of such examination or selection there shall be reservation in favor of candidates belonging to various categories as per reservation policy of the State Government duly applying 100 point roster system to the extent and subject to the conditions as the Government may, from time to time, prescribe.</p> <p>(4) Subject to sub-rule (3), the Commission shall forward to the Government a list arranged in order of merit of candidates who have qualified by such standard as the Commission may determine.</p> |

- (5) The inclusion of a candidate's name in the list prepared under sub-rule (4) shall confer no right for appointment to the service.
- Condition of eligibility for appearing at the competitive examination**
8. In order to be eligible to compete at the competitive examination a candidate shall satisfy;-
- (a) the condition prescribed in Schedule II;
  - (b) any other conditions that may be specified by the Government in consultation with the Commission; and
  - (c) shall pay the fees, if any, prescribed by the Commission.
- Disqualification for admission to examination**
9. Any attempt on the part of candidate to obtain support for his candidature by any means viz- fraud or undue influence shall render himself liable to be disqualified for admission in the competitive examination by the Commission.
- Commission's decision final**
10. The decision of the Commission as to the eligibility or otherwise of a candidate for admission to the examination shall be final and no candidate to whom certificate of admission has not been issued by the Commission shall be admitted to examination.
- Appointment from the list**
11. Subject to provision of rules 14, 15 and 16, candidates shall be considered for appointment to the available vacancies in the order of merit in which their names appear in the list.
- Disqualification for appointment on ground of plural marriage**
12. No person;-
- (a) who has entered into or contracted marriages with a person having spouse living or
  - (b) who, having a spouse living, has entered into or contracted a marriage with any person shall be eligible for appointment to the service:
- Provided that the Government may, if satisfied that such marriage is permissible under the personal law or customs applicable to such person and other party to the marriage, exempt any person from the operation of this rule.
- Penalty for impersonation etc.**
13. A candidate, who is or has been declared by the Commission guilty of impersonation, or of submitting false or fabricated document which have been tampered with or of making statements which are incorrect or false or of suppressing material information or of using or of attempting to use unfair means in the examination hall or otherwise resorting to any other irregular or improper means for obtaining admission to the examination may, in addition to rendering himself liable to a criminal prosecution, be debarred either permanently or for a specified period;-
- (a) by the Commission from admission to any examination or appearance at any interview held by the Commission for selection of candidate;

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| <b>Disqualification for appointment on medical ground</b> | 14. No candidate shall be appointed to the service who after such medical examination as the Government may specify, is found to be physically and mentally unfit or suffering from any mental or physical defects likely to interfere with the discharge of the duties of the service.  |
| <b>Constitution of Selection Committee</b>                | <p>15. (1) There shall be a Selection Committee consisting of the following for the purpose of selection through direct recruitment as well as for promotion, namely:-</p> <ul style="list-style-type: none"> <li>(a) Chairman, Sikkim Public Service Commission;</li> <li>(b) Member, Sikkim Public Service Commission;</li> <li>(c) Secretary to the Government in the Department of Personnel;</li> <li>(d) Secretary to the Government in Department concerned;</li> <li>(e) The Commission may co-opt any other suitable expert/ Adviser.</li> </ul> <p>(2) The Chairman or where the Chairman is unable to attend, the member of the Commission shall preside over the meeting of the Committee. The absence of a member other than the Chairman or Member of the Commission, shall not invalidate the proceedings of the committee if two third of the members of the Committee had attended its meeting.</p> |
| <b>Probation</b>  | <p>16. (1) Every person recruited to the service by promotion shall be appointed to the service on probation for a period of one year. And every person recruited to the service by direct recruitment shall be appointed to the service on probation for a period of two years.</p> <p>(2) The Government may, if it thinks fit in any case or class of cases, extend the period of probation for a period not exceeding two years.</p>   |
| <b>Discharge of Probationer</b>                           | <p>17. A probationer shall be liable to be discharged from the Service or, as the case may be, reverted back to his substantive post, if,-</p> <ul style="list-style-type: none"> <li>(a) the Government is satisfied that the probationer was ineligible for recruitment to the service or is unsuitable for being a member of the service; or</li> <li>(b) he is found lacking in qualities of mind and character needed for the service or in the constructive outlook and human sympathy needed in public service generally; or</li> <li>(c) he fails to comply with any of the provisions of these rules.</li> </ul>  |
| <b>Confirmation</b>                                       | 18. If a probationer completes his period of probation to the satisfaction of the Government, he shall, subject to the other provisions of the rules, be confirmed in the service.   |

**Seniority**

19. The inter-se-seniority of the members of the service shall be determined in accordance with the Sikkim State Services (Regulation of Seniority) Rules, 1980.

**Promotion from one grade to another**

20. (1) The Government shall from time to time, for the purpose of this rule prepare a list of the members of the service in order of seniority who have completed the prescribed length of service as indicated in Schedule II for promotion to the next higher grade.
- (2) The Government shall forward to the Commission the list prepared under sub-rule (3) along with the Annual Confidential Reports, Annual Property Returns and service records of the periods the member of the service has to complete to become eligible for promotion and such other documents prescribed by the Government from time to time, indicating the anticipated number of vacancies to be filled by promotion in course of period of twelve months commencing from the date of preparation of the list.
- (3) The Commission after satisfying themselves the records and the information complete in all respect has been received shall convene a meeting of the Selection Committee. The Committee shall consider for promotion, where there is a single vacancy, the cases of five eligible persons in order of seniority belonging to the immediate lower grade and thereafter in multiple of two for every additional vacancy.
- (4) The Committee shall prepare a final seniority list of the officers who are found suitable for promotion.
- (5) The Commission shall forward the final list prepared under sub-rule (4) to the Government along with Annual Confidential Reports, Annual Property Returns and service records received from the Government.
- (6) The list shall ordinarily be in force for a period of twelve months from the date of recommendation of Commission.
- (7) Promotion of the persons included in the list to the relevant higher grade shall be made by the Government against the existing vacancy in the order in which their names appear in the list.
- (8) It shall not be ordinarily necessary to consult the Commission before such promotion is made unless during the period of twelve months from the date of recommendation of the Commission there occurs a deterioration in the work or performance of the member of the service which in the opinion of the Government is such as to render him unsuitable for promotion.

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| <b>Administrative Control</b> | 21. (1) Administrative control over the service including appointments, transfers and deputation shall vest with Cadre Controlling authority.<br>(2) The Headquarters shall be Urban Development Department.<br>(3) A member of the service shall not be transferred outside the service or under any other Government service without the concurrence of the Cadre Controlling Authority. |
| <b>Residuary matters</b>      | 22. All other matters in relation to the service not specified or for which no provision have been made in these rules shall be regulated by rules and orders applicable to other officers of the Government of equivalent status.   |
| <b>Removal of doubts</b>      | 23. If any doubt arises as to the interpretation of any of the provision of these rules, the decision of the Government thereon shall be final.  |
| <b>Power to relax</b>         | 24. Where the Government is of the opinion that it is necessary or expedient to do so, it may by order for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons or cadre posts.  |

**RINZING CHEWANG BHUTIA, IAS  
SECRETARY TO THE GOVERNMENT  
DEPARTMENT OF PERSONNEL**

**SCHEDULE – I**

**{See rule 3(2)}**

<b>Sl. No.</b>	<b>Name of Post</b>	<b>Pay Level</b>	<b>Number of post</b>
1.	Principal Chief Town Planner	Level-22	01
2.	Chief Town Planner	Level-21	01
3.	Additional Chief Town Planner	Level-20	02
4.	Joint Chief Town Planner	Level-19	02
5.	Town Planner	Level-17	02
6.	Assistant Town Planner	Level-15	04
		<b>Total</b>	<b>12</b>

**Schedule- II**  
{See rule 3(3) and 7}

Sl. No.	Post & Pay Level	Mode of recruitment	Eligibility condition
1	2	3	4
1.	Assistant Town Planner Level-15	100 % by direct recruitment	a. PG Degree in Town / City / Urban / Housing / Country / Regional / Transport / Rural / Infrastructure / Environmental Planning from a recognized University or Institute OR Bachelors of Technology in Planning from a recognized University or Institute. b. Age between 21 to 40 years.
2.	Town Planner Level-17	100% by promotion	06 (six) years of continuous service as Assistant Town Planner.
3.	Joint Chief Town Planner Level-19	100% by promotion	a. 06 (six) years of continuous service as Town Planner; or b. 14 (fourteen) years of continuous service in the service whenever there is no member who fulfils the conditions at (a) above subject to availability of vacancy; c. Should have worked in the post of Town Planner for at least two years in the substantive capacity.
4.	Additional Chief Town Planner Level-20	100% by promotion	a. 04 (four) years of continuous service as Joint Chief Town Planner; or b. 18 (eighteen) years of continuous service in the service whenever there is no member who fulfils the conditions at (a) above subject to availability of vacancy; c. Should have worked in the post of Joint Chief Town Planner for at least two years in the substantive capacity.
5.	Chief Town Planner Level-21	100% by promotion	a. 04 (four) years of continuous service as Additional Chief Town Planner; or b. 22 (twenty) years of continuous service in the service whenever there is no member who fulfils the conditions at (a) above subject to availability of vacancy; c. Should have worked in the post of Additional Chief Town Planner for at least two years in the substantive capacity.
6.	Principal Chief Town Planner	100% by promotion	02 (two) years of continuous service as Chief Town Planner.